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|---|------------------------|---------------------|--|
| Examiner-Initiated Interview Summary | Application No. | Applicant(s) | |
| | 09/770,102 | CRAIG, ROGER | |
| | Examiner | Art Unit | |
| | Gary W. Counts | 1641 | |

All Participants:

(1) Gary W. Counts, Examiner.

(2) Mark Fitzgerald, Attorney.

Status of Application: _____

(3) _____

(4) _____

Date of Interview: 11 March 2005

Time: _____

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Discussion of 112 2nd rejections and amendment after final

Claims discussed:

all of record

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

Gary W. Counts
 (Examiner/SPE Signature)

 (Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Examiner stated that the amendment to the claims filed 03/07/05 would not overcome the 112 2nd rejection. Examiner stated that the method is to determine if the tagged binding partner polypeptides binds to the binding partner polypeptide when an enzyme adds or removes a moiety which promotes the binding of the tagged binding partner polypeptide and the binding partner polypeptide. Examiner stated that the combination of the substances in step A does not provide a signal and since the detector molecule binds specifically to the tagged polypeptide regardless if binding has occurred between the tagged binding partner polypeptide and the binding partner polypeptide that a signal would be detected as a result of the detector molecule binding to the tagged binding partner polypeptide and thus it is unclear how one would determine if binding actually occurred between the tagged binding partner polypeptide and the binding partner polypeptide. Examiner further informed Applicant that the amendment raised a new 112 2nd issue as to the recitation "said binding" (see advisory action). Applicant proposed to amend the claims to recite that the signal is indicative of the binding of the tagged binding partner polypeptide and the binding partner polypeptide. Examiner stated that did not believe this would overcome the 112 2nd rejection because the detector molecule binds to the tagged binding partner polypeptide regardless if the tagged binding partner polypeptide and binding partner polypeptide bind or not. Examiner and Applicant were unable to agree on how to overcome the 112 2nd rejection. Examiner informed Applicant that would send out an advisory action..